



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

EXTERNAL CIVIL RIGHTS COMPLIANCE OFFICE
OFFICE OF GENERAL COUNSEL

July 7, 2021

In Reply Refer To:

EPA Correspondence No. 04X-21-R4

(b)(6) Privacy, (b)(7)(C) Enf. Privacy

Charleston, SC 29403

Re: Rejection of Administrative Correspondence

Dear (b)(6) Privacy, (b)(7)(C) Enf. Privacy

This letter is in reference to your administrative correspondence filed with the U.S. Department of Justice (DOJ) on February 21, 2021, which DOJ referred to the US. Environmental Protection Agency (EPA), Office of External Civil Rights Compliance Office (ECRCO) and was received by ECRCO on May 25, 2021, involving several state and local agencies within South Carolina. The ECRCO investigates complaints filed against recipients of EPA assistance alleging discrimination based on one or more bases – including race, color, national origin, age, sex, or disability.

Pursuant to EPA's nondiscrimination regulation, ECRCO conducts a preliminary review of administrative complaints to determine acceptance, rejection, or referral to the appropriate Federal agency. *See* 40 C.F.R. § 7.120(d)(1). To be accepted for investigation, a complaint must meet the jurisdictional requirements described in the EPA's nondiscrimination regulation. First, the complaint must be in writing. *See* 40 C.F.R. § 7.120(b)(1). Second, it must describe an alleged discriminatory act that, if true, may violate the EPA's nondiscrimination regulation (i.e., an alleged discriminatory act based on race, color, national origin, sex, age, or disability). *Id.* Third, it must be filed within 180 days of the alleged discriminatory act. *See* 40 C.F.R. § 7.120(b)(2). Finally, the complaint must be filed against an applicant for, or recipient of, EPA financial assistance that allegedly committed the discriminatory act. *See* 40 C.F.R. § 7.15.

After careful consideration, ECRCO has determined that the complaint does not meet the jurisdictional requirements stated above. On June 1, 2021, we mailed you a letter requesting clarification regarding your correspondence in order to help ECRCO determine whether it meets the criteria needed to proceed with an investigation. We have not heard back from you.

Per the ECRCO Case Resolution Manual, at Section 1.6 (see https://www.epa.gov/sites/production/files/2021-01/documents/2021.1.5_final_case_resolution_manual.pdf), we are rejecting this correspondence and closing this file as of the date of this letter, as we have not heard from you. If you have questions about this letter, please feel free to contact Dale Rhines, Deputy Director at

(202) 536-9436 or by email at rhines.dale@epa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read 'L. Dorka', with a stylized flourish extending to the right.

for

Lilian S. Dorka

Director

External Civil Rights Compliance Office

Office of General Counsel

cc: Angelia Talbert-Duarte
Associate General Counsel
Civil Rights & Finance Law Office

Carol Monell
Acting Deputy Regional Administrator
Deputy Civil Rights Official
U.S. EPA Region 4

Leif Palmer
Regional Counsel
U.S. EPA Region 4